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Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

AUG 18 2000

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2 CARL J. KUNASEK  
Chairman  
3 JIM IRVIN  
Commissioner  
4 WILLIAM A. MUNDELL  
Commissioner

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5  
6 IN THE MATTER OF THE GENERIC  
7 INVESTIGATION INTO U S WEST  
8 COMMUNICATIONS, INC.'S  
9 COMPLIANCE WITH CERTAIN  
10 WHOLESALE PRICING REQUIREMENTS  
11 FOR UNBUNDLED NETWORK ELEMENTS  
12 AND RESALE DISCOUNTS.

DOCKET NO. T-00000A-00-0194

QWEST CORPORATION'S RESPONSE TO  
COMMENTS REGARDING IMPACT OF  
RECENT EIGHTH CIRCUIT DECISION

13 Pursuant to the Commission's Procedural Order dated July 24,  
14 2000, Qwest Corporation ("Qwest"), formerly U S WEST  
15 Communications, Inc., submits the following response to the  
16 comments of Staff, AT&T and MCI regarding the impact of the July  
17 18, 2000 Eighth Circuit Court of Appeals Decision No. 96-3321 in  
18 Iowa Utilities Board, et al. v. Federal Communications  
19 Commission, on the issues and timeframes to be addressed in the  
20 next phases of this proceeding.

21 The Commission's July 24, 2000 procedural order requested  
22 comments regarding recommended changes in issues or timeframes in  
23 this docket as a result of the Eighth Circuit Decision.  
24 Commission Staff, AT&T and MCI filed comments on August 4, 2000  
25 in which they each argued that no changes in the scope of issues  
26 or timeframes to be addressed in the next phase of this  
proceeding were required by the Eighth Circuit Decision. On this  
point, Qwest agrees. Accordingly, Qwest stands by its prior

1 comments regarding the appropriate scope and sequencing of the  
2 next phases of this proceeding.

3 In addition to discussing whether the Eighth Circuit  
4 Decision impacts the issues to be addressed or timeframes, AT&T  
5 commented extensively on the meaning and legal effect of the  
6 Eighth Circuit Decision. Since AT&T's comments do not discuss  
7 what issues and timeframes should be addressed in the next phase,  
8 Qwest will not respond to AT&T's comments regarding the meaning  
9 and legal effect of the Eighth Circuit Decision at this time.  
10 However, Qwest reserves the right to respond to AT&T's  
11 contentions at the appropriate time in the next phases of this  
12 proceeding.

13 RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of August, 2000.

14 QWEST CORPORATION

15  
16 By: 

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1 ORIGINAL and 10 copies of the  
2 foregoing hand-delivered for  
3 filing this 18<sup>th</sup> day of August, 2000  
4 to:

5 Docket Control  
6 ARIZONA CORPORATION COMMISSION  
7 1200 West Washington  
8 Phoenix, Arizona 85007

9 COPY of the foregoing hand-delivered  
10 this 18<sup>th</sup> day of August, 2000, to:

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16 Deborah R. Scott  
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21 THREE COPIES of the foregoing  
22 hand-delivered this 18<sup>th</sup> day of  
23 August, 2000 to :

24 Jerry Rudibaugh, Chief Arbitrator  
25 Hearing Division  
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1200 West Washington  
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COPY of the foregoing mailed  
this 18<sup>th</sup> day of August, 2000, to:

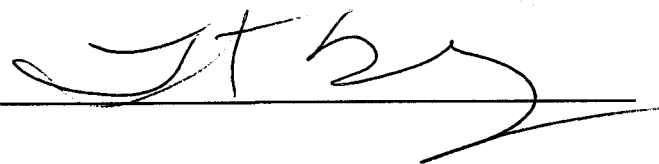
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A handwritten signature in black ink, appearing to be 'JTB', is written over a horizontal line.